

1 **Alexander J. Taylor, Esq.**  
2 **SULAIMAN LAW GROUP**  
3 2500 South Highland Avenue  
4 Suite 200  
5 Lombard, Illinois 60148  
6 Telephone: 630-575-8181  
7 Facsimile: 630-575-8188  
8 E-Mail: ataylor@sulaimanlaw.com  
9 *Attorney for the Plaintiff*

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 CONER REED,  
13 Plaintiff,

14 v.

15 ALORICA INC.,  
16 Defendant.

Case No. 8:22-cv-02138

**COMPLAINT FOR DAMAGES**

**1. VIOLATIONS OF THE FAIR DEBT  
COLLECTION PRACTICES ACT, 15  
U.S.C. §1692 ET SEQ.;**

**DEMAND FOR JURY TRIAL**

17  
18 **COMPLAINT**

19 **NOW COMES** Plaintiff, CONER REED, by and through his undersigned  
20 counsel, complaining of Defendant, ALORICA INC., as follows:

21  
22 **NATURE OF THE ACTION**

23 1. This action is seeking redress for Defendant's violations of the Fair Debt  
24 Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 et seq.  
25  
26  
27  
28

**JURISDICTION AND VENUE**

2. The Court has subject matter jurisdiction pursuant to the FDCPA and 28 U.S.C. § 1331.

3. Venue in this district is proper under 28 U.S.C. § 1391(b)(2) because Defendant is domiciled in California, conducts business in the Central District of California and all of the events or omissions giving rise to the claims occurred within the Central District of California.

**PARTIES**

7. CONER REED (“Plaintiff”) is a natural person, over 18-years-of-age, who at all times relevant resided Birmingham, Alabama.

8. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).

9. ALORICA INC. (“Defendant”) is a California company with its principal executive office in Irvine, California. Defendant specializes in providing debt collection services to its clients in the financial services industry.

10. Defendant maintains its principal place of business at 5161 California Avenue, Suite 100 Irvine, California 92617.

11. Defendant is a debt collection agency that collects debts owed to third parties.

12. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6) because the principal purpose of Defendant’s business is the collection of debt owed to others.

**FACTUAL ALLEGATIONS**

13. At all times relevant, Plaintiff was the sole operator, possessor, and subscriber of the cellular telephone number ending in 0432.

14. At all times relevant, Plaintiff was financially responsible for his cellular telephone equipment and services.

15. Plaintiff applied for a credit card with Credit One Bank.

16. Upon approval, Credit One Bank mailed Plaintiff a credit card.

17. Plaintiff activated his credit card and made charges on the credit card for personal and household purposes.

18. While Plaintiff initially made payments on his credit card, the payments ceased due to a financial hardship and Plaintiff's account fell into default ("subject debt").

19. The subject debt is a "consumer debt" as defined by 15 U.S.C. § 1692a(5) because it was incurred for personal and household purposes.

20. Shortly after the payments stopped, Credit One Bank placed the subject debt with Defendant for collection.

21. In or around late January 2022, Plaintiff started to receive collection phone calls from an entity purporting to be "Credit One Bank."

22. On multiple occasions, Plaintiff answered these collection calls and made oral requests that the calls stop.



1 distraction caused by the phone calls, wear and tear to Plaintiff's cellular phone,  
 2 intrusion upon and occupation of Plaintiff's cellular telephone, temporary loss of use  
 3 of Plaintiff's cellular phone, invasion of privacy, loss of battery charge, loss of  
 4 concentration, mental anguish, nuisance, the per-kilowatt electricity costs required to  
 5 recharge Plaintiff's cellular telephone as a result of increased usage of Plaintiff's  
 6 telephone services, and wasting Plaintiff's time.

9 31. Moreover, each time Defendant placed a telephone call to Plaintiff,  
 10 Defendant occupied Plaintiff's cellular phone such that Plaintiff was unable to  
 11 receive other phone calls or otherwise utilize his cellular phone while his phone was  
 12 ringing.

14 32. Concerned with having had his rights violated, Plaintiff was forced to  
 15 retain counsel to vindicate his rights.

### 17 **CLAIMS FOR RELIEF**

#### 18 **COUNT I:**

#### 19 **Fair Debt Collection Practices Act (15 U.S.C. § 1692 *et seq.*)**

20 33. All paragraphs of this Complaint are expressly adopted and incorporated  
 21 herein as though fully set forth herein.

#### 23 **a) Violation(s) of 15 U.S.C. § 1692d**

24 34. Section 1692d provides:

26 [a] debt collector may not engage in any conduct the natural  
 27 consequence of which is to harass, oppress, or abuse any person in  
 28 connection with the collection of a debt. Without limiting the general

1 application of the foregoing, the following conduct is a violation of this  
2 section:

3 (5) Causing a telephone to ring or engaging any person in  
4 telephone conversation repeatedly or continuously with  
5 intent to annoy, abuse, or harass any person at the called  
6 number.

7 (6) Except as provided in section 1692b of this title, the  
8 placement of telephone calls without meaningful  
disclosure of the caller's identity.

9 35. Defendant violated 15 U.S.C. § 1692d(5) by repeatedly or continuously  
10 calling Plaintiff after being asked to cease its collection calls.  
11

12 36. Defendant's behavior of systematically calling Plaintiff's cellular phone  
13 number in an attempt to collect the subject debt was harassing and abusive.  
14

15 37. Defendant's collection calls to Plaintiff were made with the specific  
16 intent of annoying, harassing, and abusing Plaintiff.

17 38. The fact that Defendant knowingly placed calls to Plaintiff after  
18 Plaintiff made numerous requests that the calls cease is illustrative of Defendant's  
19 intent to harass and annoy Plaintiff.  
20

21 39. Defendant violated §1692d(6) by falsely identifying itself as "Credit  
22 One Bank" instead of identifying itself by its real name. As set forth above, the  
23 FDCPA requires a debt collector to meaningfully disclose its identity to a consumer.  
24 By holding itself out as "Credit One Bank," Defendant failed to meaningfully  
25 disclosure its identity.  
26  
27  
28

1           **b) Violation(s) of 15 U.S.C. § 1692e**

2           40. Section 1692e provides

3  
4           A debt collector may not use any false, deceptive, or misleading  
5           representations or means in connection with the collection of any debt.  
6           Without limiting the general application of the foregoing, the following  
7           conduct is a violation of this section:

8                   (14) The use of any business, company, or organization name  
9                   other than the true name of the debt collector's business,  
10                  company, or organization.

11           41. Defendant violated §1692e(14) by using a name other than the true  
12           name of its business when it falsely held itself out to be Credit One Bank during  
13           phone calls with Plaintiff.

14           **c) Violation(s) of 15 U.S.C. § 1692g**

15           42. Section 1692g(a) provides:

16  
17           (a) Within five days after the initial communication with a consumer in  
18           connection with the collection of any debt, a debt collector shall, unless  
19           the following information is contained in the initial communication or  
20           the consumer has paid the debt, send the consumer a written notice  
21           containing –

22                   (1) the amount of the debt;

23                   (2) the name of the creditor to whom the debt is owed;

24                   (3) a statement that unless the consumer, within thirty days  
25                   after receipt of the notice, disputes the validity of the debt,  
26                   or any portion thereof, the debt will be assumed to be valid  
27                   by the debt collector;

1 (4) a statement that if the consumer notifies the debt collector  
2 in writing within the thirty-day period that the debt or any  
3 portion thereof, is disputed, the debt collector will obtain  
4 verification of the debt or a copy of a judgment against the  
5 consumer and a copy of such verification or judgment  
6 against the consumer and a copy of such verification or  
7 judgment will be mailed to the consumer by the debt  
8 collector; and

9 (5) a statement that, upon the consumer's written request  
10 within the thirty-day period, the debt collector will provide  
11 the consumer with the name and address of the original  
12 creditor, if different from the current creditor.

13 43. Pursuant to §1692g of the FDCPA, a debt collector must send the  
14 consumer a 30-day validation notice informing the consumer of the right to dispute  
15 the validity of the debt within five days of the initial communication with the  
16 consumer.

17 44. The validation notice provisions were included by Congress to ensure  
18 that consumers receive their dispute rights.

19 45. Defendant violated §1692g by failing to send Plaintiff the 30-day  
20 validation notice within five days of Defendant's first communication with Plaintiff.

21 **WHEREFORE**, Plaintiff requests the following relief:  
22

23 A. a finding that Defendant violated 15 U.S.C. §§ 1692d(5), d(6), e(14) and  
24 g(a);  
25

26 B. an award of any actual damages sustained by Plaintiff as a result of  
27 Defendant's violations of the FDCPA;  
28



- 1 C. an award of such additional damages, as the Court may allow, but not  
2 exceeding \$1,000.00;  
3  
4 D. an award of reasonable attorney's fees and costs as determined by this  
5 Court; and  
6  
7 E. an award of such other relief as this Court deems just and proper.

8 **DEMAND FOR JURY TRIAL**

9 Pursuant to Fed. R. Civ. P. 38(b), Plaintiff demands a trial by jury of any and  
10 all issues in this action so triable of right.  
11

12  
13 Dated: November 28, 2022

Respectfully Submitted,

14 /s/ Alexander J. Taylor  
15 Alexander J. Taylor, Esq.  
16 Sulaiman Law Group, Ltd  
2500 S. Highland Ave, Suite 200  
17 Lombard, IL 60148  
Telephone: (630) 575-8181  
18 ataylor@sulaimanlaw.com  
19 *Counsel for Plaintiff*  
20  
21  
22  
23  
24  
25  
26  
27  
28